

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Atty's Dkt: RUSSELL4
James RUSSELL)	Application Division
Serial No. 10/592,224)	ATTN: PCT
IA Filing Date: March 4, 2006)	Washington, D.C.
For: TOLL-LIKE RECEPTOR2 (TLR-2) HAPLOTYPES)	Confirmation No.: 7819
PREDICT OUTCOME OF PATIENTS)	Date: June 4, 2007
<u>LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371</u>		

U.S. Patent and Trademark Office
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 Randolph Building, Mail Stop Missing Parts
 401 Dulany Street
 Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated April 2, 2007.

[XX] Attached hereto are two (2) executed declarations+ in compliance with 37 C.F.R. 1.63, identifying the present application by title, filing date and priority information.

[XX] Sequence Listing

☐ Paper Copy (pages) ☒ Computer readable form

☐ A copy of the front page of the WO publication, acknowledging the DOI, is enclosed.

☐ A copy of the acknowledgement of receipt of the DOI is enclosed.

☐ Since the declaration was the only surchargeable item allegedly omitted and the DOI was timely filed, the imposition of the surcharge was improper

☐ Additional fees as calculated below:

<input type="checkbox"/> Search fee		
<input type="checkbox"/> Examination fee		
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)	RATE	
	X \$250.00	
Number of Claims Previously Paid For	Number of Extra Claims	Rate
- 20 =		X \$ 50.00
- 3 =		X \$200.00
Multiple Dependent Claims (if applicable)		+ \$360.00
TOTAL OF ABOVE CALCULATIONS		\$130.00
Reduction of ½ for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.		<\$65.00 >
SUBTOTAL		\$65.00
Processing fee of \$130.00 for late furnishing of the English translation.		\$
TOTAL NATIONAL FEE		\$65.00

☐ Surcharge for late filing of the Declaration was paid on _____.

☐ It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity
 Response Filed Within

<input type="checkbox"/> First	-	\$ 60.00
<input type="checkbox"/> Second	-	\$ 225.00
<input type="checkbox"/> Third	-	\$ 510.00
<input type="checkbox"/> Fourth	-	\$ 795.00
<input type="checkbox"/> Fifth	-	\$1,080.00

month after time period set

Other Than Small Entity
 Response Filed Within

<input type="checkbox"/> First	-	\$ 120.00
<input type="checkbox"/> Second	-	\$ 450.00
<input type="checkbox"/> Third	-	\$1,020.00
<input type="checkbox"/> Fourth	-	\$1,590.00
<input type="checkbox"/> Fifth	-	\$2,160.00

month after time period set

11/28/2008 SSANDAR1 00000001 10592224

01 FC:2251

65.00 OP

Electronic Acknowledgement Receipt

EFS ID:	4335458
Application Number:	10591224
International Application Number:	
Confirmation Number:	7819
Title of Invention:	Toll-like receptor 2 (tlr-2) haplotypes predict outcome of patients
First Named Inventor/Applicant Name:	James Russell
Customer Number:	01444
Filer:	Roger Lowen Browdy/Mary Anne Kornbau
Filer Authorized By:	Roger Lowen Browdy
Attorney Docket Number:	28903:0004
Receipt Date:	21-NOV-2008
Filing Date:	
Time Stamp:	16:28:51
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	no				
File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Oath or Declaration filed	RUSSELL_exec_Dec.pdf	117195 f044d151edcdcb4f3fbabb6b593dc0c718b380	no	2
Warnings:					
Information:					

2	Oath or Declaration filed	WALLEY_exec_Dec.pdf	100175 3de5af5957f583fd087ce862019461bf8d9c9d31	no	2
Warnings:					
Information:					
3	CRF Statement Paper and CRF are the same	2007-06-04_MSP_Resp_Seq_Statement.pdf	235409 039d9242edfa0d6fa15a00953458555a7d5d961	no	2
Warnings:					
Information:					
4	Miscellaneous Incoming Letter	2007-06-04_Credit_Card_Payment.pdf	475709 643230fc54eb86425aa94a0091b2dda4b5af59a	no	1
Warnings:					
Information:					
5	Miscellaneous Incoming Letter	2007-06-04_Filing_Confirm_Postcard.pdf	151840 ff2dca214c35ae8a6630667a7f8d072aaa90c2e8	no	1
Warnings:					
Information:					
6	Miscellaneous Incoming Letter	2007-06-04_MSP_Transmittal.pdf	439808 4643bc41e67e4ea984f7098662ea4f81c2a62c8c	no	2
Warnings:					
Information:					
7	Sequence Listing	SEQ_LIST_US_Russell4.pdf	195242 740f25821dae29e907e9b4efb7ed030a456696c	no	21
Warnings:					
Information:					
8	Petition for review by the Office of Petitions.	2008-11-21_Petit_Vacate_Abandon.pdf	121634 874404a4d70ed6f5516f11416da3b08a21c0b33f	no	2
Warnings:					
Information:					
9	Sequence Listing (Text File)	SEQ_LIST_US_Russell4.txt	43305	no	0
Warnings:					
Information:					
Total Files Size (in bytes):			1880317		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.